

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1995, each agency shall begin the rulemaking process by 1st filing a Notice of Proposed Rulemaking, containing the preamble and the full text of the rules, with the Secretary of State's Office. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the Arizona Administrative Register.

Under the Administrative Procedure Act (A.R.S. § 41-1001 *et seq.*), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

NOTICE OF PROPOSED RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 5. DEPARTMENT OF ADMINISTRATION

PERSONNEL ADMINISTRATION

PREAMBLE

1.

<u>Sections Affected</u> R2-5-412 R2-5-413	<u>Rulemaking Action</u> Amend Amend
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2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):
Authorizing statute: A.R.S. § 41-763
Implementing statute: A.R.S. § 41-783
3. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:
Name: Gordon Carrigan, Human Resources Generalist
Address: Department of Administration
1831 West Jefferson, Room 107
Phoenix, Arizona 85007
Telephone: (602) 542-4784
Fax: (602) 542-4507
4. An explanation of the rule, including the agency's reasons for initiating the rule:
Appropriate changes have been made to other personnel rules that previously stipulated how compensatory time would be used for absences from work. This proposed rulemaking is for housekeeping purposes to make the affected rules consistent with the changes already made to other personnel rules.
5. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
Not applicable.
6. The preliminary summary of the economic, small business, and consumer impact:
 - A. Economic, small business, and consumer impact summary:
 1. Proposed rulemaking:
The proposed rules delete a reference to compensatory leave and clarify what leave balances are to be considered before the approval of medical and other leaves without pay is granted.
 2. Information contained in this report:
The proposed rules affect State Service employees only and will not have an impact on small businesses and consumers. No costs or savings are projected for any state agency.

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3. **Name and address of agency employees who can submit additional data on the information included in this statement:**
Gordon Carrigan, Human Resources Generalist
Department of Administration
1831 West Jefferson, Room 107
Phoenix, Arizona 85007
(602) 542-4784

B. Economic, small business, and consumer impact statement:

1. **Proposed rulemaking:**

The proposed rules delete a reference to compensatory leave and clarify what leave balances are to be considered before the approval of medical and other leaves without pay are granted.

2. **Persons who are affected, bear costs, or directly benefit:**

Cost bearers: The proposed rule does not impose any cost upon any small business or consumer.

Beneficiaries: State service employees are the beneficiaries of the proposed rule.

3. **Cost/benefit analysis:**

Cost/revenues scale:

Annual costs/revenues changes are designated as minimal when less than \$1,000 in additional costs or revenues, moderate when between \$1,000 and \$10,000 in additional costs or revenues, and substantial when greater than \$10,000 in additional costs or revenues.

a. Probable costs and benefits to the implementing agencies: There is no financial benefit to any agency. There is no additional cost to any agency, because compensatory time is an accrued cost obligation that must be paid no matter if or when it is taken or paid off.

b. Probable costs and benefits to a political subdivision: None

c. Probable costs and benefits to business: None

Cost/benefit summary: Not applicable

Cost/benefit conclusion: Not applicable

4. **Private and public employment impact:**

None.

5. **Impact on small businesses:**

a. An identification of the small businesses subject to the proposed rulemaking: No small business is subject to this proposed rule.

b. The administrative and other costs required for compliance with the proposed rulemaking: None

c. A description of the methods that the agency may use to reduce the impact of small businesses: Not applicable

d. The probable cost and benefit to private persons and consumers who are directly affected by the proposed rulemaking: Not applicable.

6. **Probable effect on state revenues:** None

7. **Less intrusive or less costly alternative methods of achieving the proposed rulemaking:** Not applicable.

7. **The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**

Name: Claudia Smith, Communications Unit Manager

Address: Department of Administration
1831 West Jefferson, Room 103
Phoenix, Arizona 85007

Telephone: (602) 542-4894

Fax: (602) 542-4507

8. **The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule; or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:**

No public proceeding is scheduled. A person may submit written comments or a written request that an oral proceeding be held on the proposed rules. Requests must be submitted by no later than 5 p.m., September 16, 1996, to the person listed in question 3.

9. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

Not applicable.

10. **Incorporations by reference and their location in the rules:**

None.

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11. The full text of the rules follows:

TITLE 2. ADMINISTRATION

**CHAPTER 5. DEPARTMENT OF ADMINISTRATION
PERSONNEL ADMINISTRATION**

ARTICLE 4. BENEFITS

Section

- R2-5-412. Medical Leave Without Pay
R2-5-413. Leave Without Pay

ARTICLE 4. BENEFITS

R2-5-412. Medical Leave Without Pay

- A. Upon application, a permanent status employee shall be granted medical leave without pay, provided all the following conditions are satisfied:
1. The employee is unable to work due to a non-job-related, seriously incapacitating and extended illness or injury; and
 2. The seriousness and extensiveness of the incapacitating illness or injury are documented by a physician selected by the employee, subject to confirmation by an agency-selected physician, at the expense of the agency, whose opinion shall be used to determine whether a medical leave without pay should be granted; and

3. The employee has exhausted all annual and sick leave balances, ~~including and~~ any leave donated to the employee; and
4. The leave is expected to be terminated upon the employee's return to work or the employee is absent for 180 days, whichever occurs 1st.

B. No change.

R2-5-413. Leave without Pay

- A. No change.
- B. Use of leave. Except for parental leave, military leave, leave granted to forestall a reduction in force, or leave granted to accept an uncovered position, leave without pay in excess of 80 consecutive hours shall not be granted until all accrued leave, ~~compensatory leave~~, and, if the leave without pay is for medical reasons, sick leave is exhausted.
- C. No change.
- D. No change.
- E. No change.
- F. No change.
- G. No change.
- H. No change.
- I. No change.

NOTICE OF PROPOSED RULEMAKING

TITLE 18. ENVIRONMENTAL QUALITY

**CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL**

PREAMBLE

- | | |
|------------------------------------|---------------------------------|
| 1. <u>Sections Affected</u> | <u>Rulemaking Action</u> |
| R18-2-731 | New Section |
| R18-2-901 | Amend |
| R18-2-1101 | Amend |
| Appendix 2 | Amend |
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
- Authorizing statutes: A.R.S. §§ 49-104(A)(11) and 49-425
- Implementing statutes: A.R.S. §§ 49-104(A)(11) and 49-425
- 3. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
- Name: Mark Lewandowski or Martha Seaman, Rule Development Section
- Address: Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012-2809
- Telephone: (602) 207-2230 or (602) 207-2222 (Any extension may be reached in-state by dialing 1-800-234-5677, and asking for that extension.)
- Fax: (602) 207-2251

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4. An explanation of the rule, including the agency's reasons for initiating the rule:

The Department of Environmental Quality (ADEQ) is updating the New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPs) up to July 1, 1996. This rulemaking also includes a related Emissions Guideline (EG) for existing municipal solid waste landfills, which mirrors the NSPS for landfills.

ADEQ's intention in updating these incorporations by reference is to continue to obtain delegated authority from the U.S. Environmental Protection Agency (EPA) to implement and enforce these programs.

A description of each of the incorporations by reference follows:

R18-2-731. Standards of Performance for Existing Municipal Solid Waste Landfills, incorporates by reference the New Source Performance Standard (NSPS) for Landfills, 40 CFR 60 Subpart WWW, March 12, 1996, 61 FR 9919, and amends it to apply to landfills operating from 1987 to 1991. The rule will require large landfills that emit landfill gas in excess of 50 megagrams (Mg) per year to control emissions. In general, controlling emissions involves drilling collection wells into the landfill and routing the gas to a suitable energy recovery system or combustion device. New and existing landfills designed to hold 2.5 million Mg of waste or more will be required to install gas collection systems or prove that the landfill emits less than 50 Mg per year of non-methane organic compounds, including smog-causing VOCs and air toxics. R18-2-731 will govern landfills operating from 1987 to 1991. The NSPS will govern landfills from 1991 to the present.

R18-2-901. Subpart D - Fossil-Fuel-Fired Steam Generators for which Construction is Commenced after August 17, 1971 (Last amended May 8, 1996, 61 FR 20734). This rule exempts from the NSPS any steam generating units which are engaged in combustion research.

Subpart WWW - Municipal Solid Waste Landfills (Last amended March 12, 1996, 61 FR 9919). The rule will require large landfills that emit landfill gas in excess of 50 megagrams (Mg) per year to control emissions. In general, controlling emissions involves drilling collection wells into the landfill and routing the gas to a suitable energy recovery system or combustion device.

New and existing landfills designed to hold 2.5 million Mg of waste or more will be required to install gas collection systems or prove that the landfill emits less than 50 Mg per year of non-methane organic compounds, including smog-causing VOCs and air toxics.

The rule provides the owner or operator of a landfill with a tier system for determining if controls will be required. If the owner or operator initially calculates the emissions to be above the 50 Mg per year threshold by using default parameters provided in the regulation, the tier system provides the opportunity to conduct sampling and determine site-specific values to prove that emissions are below the emission threshold and that controls are not required.

If emissions controls are required, the rule provides flexibility to industry by allowing landfill owners or operators to design their own gas collection and control system to fit their unique circumstances. A control device may be a flare or a device which utilizes the energy content of the gas, such as an internal combustion engine, a turbine, or a boiler.

The rule contains an operational standard that requires a landfill's surface methane concentration to be monitored on a quarterly basis. If the surface concentration of methane is greater than 500 parts per million after 3 consecutive measurements, the regulation requires system expansion to accommodate the excess gas. This reduces the chance of explosions in or near a landfill.

The rule will achieve substantial emission reductions without placing an undue financial burden on municipalities, and will place no burden on small municipalities (since small landfills are exempted from the regulation). Waste disposal costs will increase only about 20 to 40 cents per household. The U.S. EPA anticipates that many landfills will use energy recovery systems, further reducing costs per household.

R18-2-1101. Subpart B - Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections 112(g) and 112(j) (Last amended May 10, 1996, 61 FR 21370). This amendment delays the Section 112(j) case-by-case control technology determination deadlines for each of the source categories for which the U.S. EPA is writing standards, because those standards are also likely to be delayed. This amendment alleviates unnecessary paperwork for both major sources and for permitting agencies such as ADEQ.

Subparts F, G, H, and I, for hazardous air pollutants from the synthetic organic chemical manufacturing industry (SOCMI), have been amended to clarify the regulations and to make some program revisions governing the chemicals. Arizona does not have any SOCMI sources.

Subpart M - National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities (Last amended on June 3, 1996, 61 FR 27785); Subpart N - Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (Last amended on June 3, 1996, 61 FR 27785); Subpart O - Ethylene Oxide Emissions Standards for Sterilization Facilities (Last amended on June 3, 1996, 61 FR 27785); and Subpart X - Secondary Lead Smelting (Last amended on June 3, 1996, 61 FR 27785) are all amended to defer the affected nonmajor sources from having to obtain major source Title V permits. The action being taken today will substantially reduce the unnecessary and undue regulatory burden for ADEQ and the industry during a time when tremendous resources are necessary for the initial implementation of the Title V permit program. This rule is not expected to have any significant adverse environmental results since sources are still required to meet all applicable requirements established by the respective MACT (maximum achievable control technology) standards.

Subpart CC - Petroleum Refineries (Last amended June 12, 1996, 61 FR 29876; and June 28, 1996, 61 FR 33799) is amended to correct typographical and cross-referencing errors in the federal regulation.

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Subpart GG - Aerospace Manufacturing and Rework Facilities (Last amended Feb. 9, 1996, 61 FR 4902) is included to correct the initial notification deadline. Under the proposed rule, affected existing facilities would be required to notify ADEQ that they are affected by the standard, and have included the information required by the regulation, by September 1, 1997.

Subpart KK - Printing and Publishing Industry (Last amended May 30, 1996, 61 FR 27132). This MACT standard covers 2 distinct segments of the printing and publishing industry. Publication rotogravure printers produce saleable paper products such as catalogues, magazines, newspaper inserts, and telephone directories. Package-product rotogravure and wide-web flexographic facilities print on paper, plastic film, metal foil, and vinyl for use in products such as flexible packaging, labels, gift wrap, floor coverings, and decorative laminates. Air toxics are released from the ink systems used by these types of printers. At this time, Arizona has no sources meeting this description which are large enough to be regulated by the standard.

Appendix 2.40 CFR 60, Appendix A, and 40 CFR 61, Appendix B, last amended on Apr. 25, 1996, 61 FR 18260, updates the testing methods for cadmium, lead, and mercury emissions from municipal waste combustors. At this time, Arizona has no municipal waste combustors governed by the NSPS.

5. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
Not applicable.
6. The preliminary summary of the economic, small business, and consumer impact:

Identification of the Proposed Rulemaking

NSPS/NESHAP 1996: 18 A.A.C. 18, Chapter 2, Articles 7, 9, and 11.

A Brief Summary of the Information Included in the Economic, Small Business, and Consumer Impact Statement

(Please note that the entire Economic, Small Business, and Consumer Impact Statement is included here. No further materials are included in the rulemaking docket.)

Costs

There are no additional costs to the regulated community when a state agency incorporates a federal standard verbatim. The costs of compliance have already occurred, and were discussed when each federal regulation was proposed and adopted. Each of the rules proposed today impose no additional costs on the regulated community, small businesses, political subdivisions, members of the public, or any other entity.

The only costs that occur are those that accrue to the Department for enforcement of the new standards. ADEQ does not intend to hire any additional employees to implement or enforce these rules, and will incur some minimal costs in notifying the municipal solid waste landfills that are subject to either R18-2-731 or R18-2-901. There are no Group IV Polymer and Resin Manufacturers in Arizona affected by the new standard. There are no printers or publishers in Arizona that are affected by the new standard. There are no ethylene oxide sterilizers in Arizona that are affected by the change in the standard. There are no secondary lead smelters in Arizona that are affected by the change in the standard. The chromium electroplaters and dry cleaning facilities that are affected by changes in their respective standards are almost completely contained in Maricopa, Pima, and Pinal Counties, over which ADEQ does not have jurisdiction. However, ADEQ may voluntarily assist in some public outreach efforts related to these industries, if asked to do so. ADEQ is unaware of any small steam generating units which may be conducting combustion research, and solicits comment from these sources, if any.

Benefits

Benefits accrue to the regulated community when a state agency incorporates a federal regulation, because the state agency is closer to its permittees and is generally easier to reach and resolve differences with. ADEQ, in addition to other such benefits, has a Small Business Assistance Program for air quality issues, which helps greatly in disseminating information and resolving difficulties, compared with leaving jurisdiction with the U.S. EPA, whose regional office is in San Francisco.

Some economic benefits may accrue to ADEQ from the increase in state revenues from permitting landfills. The exact amount will be able to be determined after the affected landfills have completed and returned the surveys being mailed to them by ADEQ in the summer of 1996.

Health benefits accrue to the general public whenever strong enforcement of environmental laws takes place. Adverse health effects from breathing air pollution result in a number of economic and social consequences, including:

1. Medical costs. These include personal out-of-pocket expenses of the affected individual (or family), plus costs paid by insurance or Medicare, for example.
2. Work loss. This includes lost personal income, plus lost productivity whether the individual is compensated for the time or not. For example, some individuals may perceive no income loss because they receive sick pay, but sick pay is a cost of business and reflects lost productivity.
3. Increased costs for chores and caregiving. These include special caregiving and services that are not reflected in medical costs. These costs may occur because some health effects reduce the affected individual's ability to undertake some or all normal chores, and he or she may require caregiving.

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4. Other social and economic costs. These include restrictions on or reduced enjoyment of leisure activities, discomfort, or inconvenience (pain and suffering), anxiety about the future, and concern and inconvenience to family members and others.

In conclusion, the incremental costs associated with this proposed rule are generally low, and apply solely to ADEQ, and the air quality benefits are generally high. In addition, there are benefits to industry from being regulated by the nearest government entity. In response to A.R.S. § 41-1055, the following statements apply: There are no economic impacts on political subdivisions. Any impacts on Maricopa, Pima, or Pinal Counties that occur from taking jurisdiction over these standards will be addressed in their own rulemakings at the county level. There are no economic impacts on private businesses, their revenues or expenditures. Possible employment of new persons has been discussed above, in context. There are no economic impacts on small businesses, although some regulatory benefits may accrue. There are no economic impacts for consumers; benefits to private persons as members of the general public are discussed above. The impact on state revenues is not yet quantified, as discussed above. There are no other, less costly alternatives for achieving the total goals of this rulemaking. The rules are no less stringent and no more stringent than the federal regulations on each subject.

7. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Mark Lewandowski, Rule Development Section
Address: Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012-2809
Telephone: (602) 207-2230
Fax: (602) 207-2251

8. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when and how persons may request an oral proceeding on the proposed rule:

Date: September 9, 1996
Time: 10 a.m.
Location: Department of Environmental Quality
Room 117A
3033 North Central Avenue
Phoenix, Arizona
(Please call 602-207-4795 for special accommodations pursuant to the Americans with Disabilities Act.)
Nature: Public hearing on the proposed rules, with opportunity for formal comments on the record and an informal question-and-answer session.

The close of written comment is September 13, 1996.

9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Not applicable.

10. Incorporations by reference and their location in the rules:

- R18-2-731. Standards of Performance for Existing Municipal Solid Waste Landfills, incorporates by reference the New Source Performance Standard (NSPS) for Landfills, 40 CFR 60 Subpart WWW, March 12, 1996, 61 FR 9919.
- R18-2-901. Subpart D - Fossil-Fuel-Fired Steam Generators for which Construction is Commenced After August 17, 1971 (Last amended May 8, 1996, 61 FR 20734).
Subpart WWW - Municipal Solid Waste Landfills (Last amended March 12, 1996, 61 FR 9919).
- R18-2-1101. Subpart B - Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections 112(g) and 112(j) (Last amended May 10, 1996, 61 FR 21370).
Subparts F, G, H, and I, for hazardous air pollutants from the synthetic organic chemical manufacturing industry, have been amended to correct typographical errors (Last amended Feb. 29, 1996, 61 FR 7716; and June 20, 1996, 61 FR 31435).
Subpart M - National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities (Last amended on June 3, 1996, 61 FR 27785).
Subpart N - Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (Last amended on June 3, 1996, 61 FR 27785).
Subpart O - Ethylene Oxide Emissions Standards for Sterilization Facilities (Last amended on June 3, 1996, 61 FR 27785).
Subpart X - Secondary Lead Smelting (Last amended on June 3, 1996, 61 FR 27785).
Subpart CC - Petroleum Refineries (Last amended June 12, 1996, 61 FR 29876; and June 28, 1996, 61 FR 33799).

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Subpart GG - Aerospace Manufacturing and Rework Facilities (Last amended February 9, 1996, 61 FR 4902).

Subpart KK - Printing and Publishing Industry (Last amended May 30, 1996, 61 FR 27132).

Appendix 2. Last amended on April 25, 1996, 61 FR 18260.

11. The full text of the rules follows:

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR POLLUTION CONTROL

**ARTICLE 7. EXISTING STATIONARY SOURCE
PERFORMANCE STANDARDS**

R18-2-731. Standards of Performance for Existing Municipal Solid Waste Landfills

**ARTICLE 9. NEW SOURCE PERFORMANCE
STANDARDS**

R18-2-901. Standards of Performance for New Stationary Sources

ARTICLE 11. FEDERAL HAZARDOUS AIR POLLUTANTS

R18-2-1101. National Emission Standards for Hazardous Air Pollutants (NESHAPs)

APPENDIX 2. TEST METHODS AND PROTOCOLS

**ARTICLE 7. EXISTING SOURCE PERFORMANCE
STANDARDS**

R18-2-731. Standards of Performance for Existing Municipal Solid Waste Landfills

- A. Existing Municipal Solid Waste Landfills (MSW landfills) shall comply with 40 CFR 60, Subpart Cc, which shall be implemented by the Department by requiring compliance with 40 CFR 60, Subpart WWW, as modified by this Section. 40 CFR 60, Subpart WWW, "Standards of Performance for Municipal Solid Waste Landfills", and no future editions or amendments, is incorporated by reference as of March 12, 1996 (61 FR 9919, March 12, 1996).
- B. Instead of the designated facilities described in 40 CFR 60.750, this Section applies to each existing MSW landfill for which construction, reconstruction, or modification began before May 30, 1991. MSW landfill emissions shall be controlled at each MSW landfill meeting all of the following conditions:
1. The landfill has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition.
 2. The landfill has a design capacity greater than or equal to 2.5 million megagrams or 2.5 million cubic meters.
 3. The landfill has a nonmethane organic compound (NMOC) emission rate of 50 megagrams per year or more.
- C. The owner or operator of each MSW landfill meeting the conditions described in subsection (B) shall install an emissions collection and control system meeting the requirements of 40 CFR 60.752(b)(2)(ii). By January 1, 1998, or within 1 year after an existing landfill exceeds a NMOC emission rate of 50 megagrams per year, the owner or operator shall submit to the Department a collection and control system design plan pre-

pared by a professional engineer. The emissions collection and control system shall be installed no later than 18 months after submittal of the design plan.

D. In addition to the definitions in 40 CFR 60.751, "Administrator" means the Director of the Department of Environmental Quality.

**ARTICLE 9. NEW SOURCE PERFORMANCE
STANDARDS**

R18-2-901. Standards of Performance for New Stationary Sources

Except as provided in R18-2-902 through R18-2-905, the following subparts of 40 CFR 60, New Source Performance Standards (NSPS) and all accompanying appendices, adopted as of July 1, 1995 1996, and no future editions ~~except for incorporation dates specifically provided~~, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.

1. Subpart A - General Provisions.
2. Subpart D - Fossil-fuel-fired Steam Generators for which Construction is Commenced After August 17, 1971 (~~Last amended May 8, 1996, 61 FR 20734~~).
3. Subpart Da - Electric Utility Steam Generating Units for which Construction is Commenced After September 18, 1978.
4. Subpart Db - Industrial-Commercial-Institutional Steam Generating Units.
5. Subpart Dc - Small Industrial-Commercial-Institutional Steam Generating Units.
6. Subpart E - Incinerators.
7. Subpart Ea - Municipal Waste Combustors for which Construction is Commenced after December 20, 1989, and on or before September 20, 1994 (~~60 FR 65382, Dec. 19, 1995~~).
8. Subpart Eb - Municipal Waste Combustors for which Construction is Commenced after September 20, 1994 (~~60 FR 65419, Dec. 19, 1995~~).
9. Subpart F - Portland Cement Plants.
10. Subpart G - Nitric Acid Plants.
11. Subpart H - Sulfuric Acid Plants.
12. Subpart I - Hot Mix Asphalt Facilities.
13. Subpart J - Petroleum Refineries.
14. Subpart K - Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.
15. Subpart Ka - Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.
16. Subpart Kb - Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which

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- Construction, Reconstruction, or Modification Commenced after July 23, 1984.
17. Subpart L - Secondary Lead Smelters.
 18. Subpart M - Secondary Brass and Bronze Ingot Production Plants.
 19. Subpart N - Primary Emissions from Basic Oxygen Process Furnaces for which Construction is Commenced After June 11, 1973.
 20. Subpart Na - Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for which Construction is Commenced After January 20, 1983.
 21. Subpart O - Sewage Treatment Plants.
 22. Subpart P - Primary Copper Smelters.
 23. Subpart Q - Primary Zinc Smelters.
 24. Subpart R - Primary Lead Smelters.
 25. Subpart S - Primary Aluminum Reduction Plants.
 26. Subpart T - Phosphate Fertilizer Industry: Wet-process Phosphoric Acid Plants.
 27. Subpart U - Phosphate Fertilizer Industry: Superphosphoric Acid Plants.
 28. Subpart V - Phosphate Fertilizer Industry: Diammonium Phosphate Plants.
 29. Subpart W - Phosphate Fertilizer Industry: Triple Superphosphate Plants.
 30. Subpart X - Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.
 31. Subpart Y - Coal Preparation Plants.
 32. Subpart Z - Ferroalloy Production Facilities.
 33. Subpart AA - Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and on or before August 17, 1983.
 34. Subpart AAa - Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.
 35. Subpart BB - Kraft Pulp Mills.
 36. Subpart CC - Glass Manufacturing Plants.
 37. Subpart DD - Grain Elevators.
 38. Subpart EE - Surface Coating of Metal Furniture.
 39. Subpart GG - Stationary Gas Turbines.
 40. Subpart HH - Lime Manufacturing Plants.
 41. Subpart KK - Lead-Acid Battery Manufacturing Plants.
 42. Subpart LL - Metallic Mineral Processing Plants.
 43. Subpart MM - Automobile and Light Duty Truck Surface Coating Operations.
 44. Subpart NN - Phosphate Rock Plants.
 45. Subpart PP - Ammonium Sulfate Manufacture.
 46. Subpart QQ - Graphic Arts Industry: Publication Roto-gravure Printing.
 47. Subpart RR - Pressure Sensitive Tape and Label Surface Coating Operations.
 48. Subpart SS - Industrial Surface Coating: Large Appliances.
 49. Subpart TT - Metal Coil Surface Coating.
 50. Subpart UU - Asphalt Processing and Asphalt Roofing Manufacture.
 51. Subpart VV - Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry.
 52. Subpart WW - Beverage Can Surface Coating Industry.
 53. Subpart XX - Bulk Gasoline Terminals.
 54. Subpart AAA - New Residential Wood Heaters.
 55. Subpart BBB - Rubber Tire Manufacturing Industry.
 56. Subpart DDD - Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.
 57. Subpart FFF - Flexible Vinyl and Urethane Coating and Printing.
 58. Subpart GGG - Equipment Leaks of VOC in Petroleum Refineries.
 59. Subpart HHH - Synthetic Fiber Production Facilities.
 60. Subpart III - Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.
 61. Subpart JJJ - Petroleum Dry Cleaners.
 62. Subpart KKK - Equipment Leaks of VOC from Onshore Natural Gas Processing Plants.
 63. Subpart LLL - Onshore Natural Gas Processing; SO(2) Emissions.
 64. Subpart NNN - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations (~~60 FR 58237, Nov. 27, 1995~~).
 65. Subpart OOO - Nonmetallic Mineral Processing Plants.
 66. Subpart PPP - Wool Fiberglass Insulation Manufacturing Plants.
 67. Subpart QQQ - VOC Emissions From Petroleum Refinery Wastewater Systems.
 68. Subpart RRR - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes (~~60 FR 58238, Nov. 27, 1995~~).
 69. Subpart SSS - Magnetic Tape Coating Facilities.
 70. Subpart TTT - Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.
 71. Subpart UUU - Calciners and Dryers in Mineral Industries.
 72. Subpart VVV - Polymeric Coating of Supporting Substrates Facilities.
 73. Subpart WWW - Municipal Solid Waste Landfills (Last amended Mar. 12, 1996, 61 FR 9919).
- R18-2-1101. National Emission Standards for Hazardous Air Pollutants (NESHAPs)**
- A. Except as provided in R18-2-1102, the following subparts of 40 CFR 61, National Emission Standards for Hazardous Air Pollutants (NESHAPs) and all accompanying appendices, adopted as of July 1, ~~1995~~ 1996, and no future editions ~~except for incorporation dates specifically provided~~, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.
1. Subpart A - General Provisions.
 2. Subpart C - Beryllium.
 3. Subpart D - Beryllium Rocket Motor Firing.
 4. Subpart E - Mercury.
 5. Subpart F - Vinyl Chloride.
 6. Subpart J - Equipment Leaks (Fugitive Emission Sources) of Benzene.
 7. Subpart L - Benzene Emissions from Coke By-product Recovery Plants.
 8. Subpart M - Asbestos.
 9. Subpart N - Inorganic Arsenic Emissions from Glass Manufacturing Plants.
 10. Subpart O - Inorganic Arsenic Emissions from Primary Copper Smelters.
 11. Subpart P - Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production.
 12. Subpart V - Equipment Leaks (Fugitive Emission Sources).
 13. Subpart Y - Benzene Emissions From Benzene Storage Vessels.
 14. Subpart BB - Benzene Emissions from Benzene Transfer Operations.
 15. Subpart FF - Benzene Waste Operations.

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B. Except as provided in R18-2-1102, the following subparts of 40 CFR 63, NESHAPs for Source Categories and all accompanying appendices, adopted as of July 1, ~~1995~~ 1996 and no future editions ~~except for incorporation dates specifically provided~~, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.

1. Subpart A - General Provisions.
2. Subpart B - Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections 112(g) and 112(j) (Last amended May 10, 1996, 61 FR 21370).
3. Subpart D - Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants.
4. Subpart F - National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry (Last amended Feb. 29, 1996, 61 FR 7716; and June 20, 1996, 61 FR 31435).
5. Subpart G - National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater (Last amended Feb. 29, 1996, 61 FR 7716).
6. Subpart H - National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks (Last amended June 20, 1996, 61 FR 31435).
7. Subpart I - National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks (Last amended Feb. 29, 1996, 61 FR 7716 and June 20, 1996, 61 FR 31435).
8. Subpart L - National Emission Standards for Coke Oven Batteries.
9. Subpart M - National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities (Last amended on June 3, 1996, 61 FR 27785).
10. Subpart N - Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (Last amended on June 3, 1996, 61 FR 27785).
11. Subpart O - Ethylene Oxide Emissions Standards for Sterilization Facilities (Last amended on June 3, 1996, 61 FR 27785).

12. Subpart Q - Industrial Process Cooling Towers.
13. Subpart R - Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) (~~59 FR 64303, Dec. 14, 1994; 60 FR 32912, June 26, 1995; 61 FR 7718, Feb. 29, 1996~~).
14. Subpart T - Halogenated Solvent Cleaning.
15. Subpart W - Epoxy Resins Production and Non-Nylon Polyamides Production.
16. Subpart X - Secondary Lead Smelting (Last amended on June 3, 1996, 61 FR 27785).
17. Subpart CC - Petroleum Refineries (~~60 FR 43244, Aug. 18, 1995; 60 FR 49976, Sept. 27, 1995~~) (Last amended June 12, 1996, 61 FR 29876; and June 28, 1996, 61 FR 33799).
18. Subpart EE - Magnetic Tape Manufacturing Operations.
19. Subpart GG - Aerospace Manufacturing and Rework Facilities (~~60 FR 45948, Sept. 1, 1995~~) (Last amended Feb. 9, 1996, 61 FR 4902).
20. Subpart JJ - Wood Furniture Manufacturing Operations (~~60 FR 62930, Dec. 7, 1995~~).
21. Subpart KK - Printing and Publishing Industry (Last amended May 30, 1996, 61 FR 27132).

APPENDIX 2. TEST METHODS AND PROTOCOLS

The following test methods and protocols are approved for use as directed by the Department pursuant to this Chapter. These standards are incorporated by reference as of July 1, ~~1995~~ 1996 (and no future amendments), except for incorporation dates specifically provided. These standards are on file with the Department and with the Office of the Secretary of State.

1. 40 CFR 51, Appendix M.
2. 40 CFR 60, ~~Appendix A (60 FR 47095, Sept. 11, 1995); and all other appendices~~ (Last amended on April 25, 1996, 61 FR 18260).
3. 40 CFR 61, all appendices (Last amended on April 25, 1996, 61 FR 18260).
4. 40 CFR 63, all appendices.
5. 40 CFR 5, all appendices.
6. The Department's "Arizona Testing Manual for Air Pollutant Emissions" (March 1992).

NOTICE OF PROPOSED RULEMAKING

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 3. ARIZONA STATE LOTTERY COMMISSION

PREAMBLE

1. Sections Affected

R19-3-301
R19-3-701
R19-3-702
R19-3-703
R19-3-704
R19-3-705
R19-3-706
R19-3-707
R19-3-708
R19-3-709

Rulemaking Action

Repeal
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section

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2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):
Authorizing statute: A.R.S. § 5-504(B)
Implementing statute: A.R.S. § 5-504(B)
3. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:
Name: Sandy Williams, Executive Director
Address: Arizona State Lottery Commission
4740 East University
Phoenix, Arizona 85034
Telephone: (602) 921-4400
4. An explanation of the rules, including the agency's reasons for initiating the rules:
R19-3-701 sets forth provisions unique to the conduct of the Arizona State Lottery Commission's instant games. This rule explains the common components of instant games: game profiles, game playstyles, how to identify a winning ticket, the procedures required to claim prizes and the claim period, ticket ownership, ticket validation, termination of an instant game, and disputes concerning a ticket. This rule replaces R19-3-301.
5. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
Not applicable.
6. The summary of the economic, small business, and consumer impact:
This game will allow the Arizona State Lottery Commission to introduce new instant games in a more timely manner, thus providing the state and retailers with a potential increase in sales revenue.
7. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:
Name: Sandy Williams, Executive Director
Address: Arizona State Lottery Commission
4740 East University Drive
Phoenix, Arizona 85034
Telephone: (602) 921-4400
8. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:
Date: September 20, 1996
Time: 10 a.m.
Location: Arizona State Lottery Commission
4740 East University Drive
Phoenix, Arizona
Nature: Oral Proceeding (Close of the record is 5 p.m. M.S.T., September 19, 1996, for written comments, and at the end of the oral proceeding for verbal comments.)
9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Not applicable.
10. Incorporations by reference and their location in the rules:
Not applicable.
11. The full text of the rules follows:

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 3. ARIZONA STATE LOTTERY COMMISSION

ARTICLE 3. INSTANT LOTTERY GAMES

~~R19-3-301. Arizona Instant Games—General Provisions~~

**ARTICLE 7. DESIGN AND OPERATION OF INSTANT
GAMES**

Section
R19-3-701. Definitions

<u>R19-3-702.</u>	<u>Game Profile</u>
<u>R19-3-703.</u>	<u>Game Playstyle</u>
<u>R19-3-704.</u>	<u>Determination of a Winning Ticket</u>
<u>R19-3-705.</u>	<u>Ticket Validation Requirements</u>
<u>R19-3-706.</u>	<u>Claim Period</u>
<u>R19-3-707.</u>	<u>Procedure for Claiming Prizes</u>
<u>R19-3-708.</u>	<u>Disputes Concerning a Ticket</u>
<u>R19-3-709.</u>	<u>Ticket Ownership and Responsibility for Instant Prize Winnings</u>

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ARTICLE 3. INSTANT LOTTERY GAMES

R19-3-301: Arizona Instant Games—General Provisions

A: Definitions. In this Article, unless the context otherwise requires:

1. "Low tier" means any winning instant game ticket of up to \$100.00 that the Director specifies shall be redeemable at the instant game retailers.
2. "Pack" means a group of 500 fanfolded tickets bearing a common "pack number."
3. "Pack ticket number" means the nine digit number, with a hyphen between the first six and the last three digits, printed in gray black ink located on one line on the front of a ticket. The first six digits are the "pack number." The last three digits are the "ticket number."
4. "Play symbol caption" means the small printed material under the latex on the ticket, located immediately beneath each play symbol, which spells out completely or in abbreviated form the play symbol. Only one of these captions appears under each play symbol and is printed in gray black ink.
5. "Play symbol" means the symbol printed in gray black ink, which appears under the latex located on the front of the ticket. Each play symbol appears within the play area under the latex.
6. "Retailer validation code" means the multi letter code which appears among the play symbols, under the latex, and on the ticket in varying locations. The retailer validation code is printed in gray black ink and used by retailers to verify low tier instant winning tickets.
7. "Ticket" means an Arizona instant game ticket.
8. "Validation number" means the unique eight digit number printed in gray black ink found under the latex on the front of the ticket.

B: Price of tickets. Each ticket shall sell for no more than the dollar amount printed on the front of the ticket.

C: Determination of prize winners:

1. No more than the highest instant prize amount established shall be paid on a ticket.
2. No portion of the display printing nor any extraneous matter is a playable part of a ticket.

D: Ticket validation requirements:

1. To be a valid ticket, all of the following requirements shall be met:
 - a. A complete and fully legible play symbol caption corresponds with and appears with each play symbol, of which both are printed in gray black ink.
 - b. The pack ticket number, retailer validation code, and validation number on the front of the ticket are present in their entirety, fully legible, and are printed in gray black ink.
 - c. Each play symbol corresponds, using the Lottery's codes, to the pack ticket number and the validation number on the front of the ticket.
 - d. The ticket is:
 - i. Legible and not tampered with in any manner.
 - ii. Not counterfeit in whole or in part.
 - iii. Issued by the Lottery in an authorized manner and purchased through an instant game retailer.
 - iv. Not stolen and not on any list of omitted tickets on file at the Lottery.
 - v. Complete and without printing errors.
 - vi. Equipped with exactly one pack ticket number, one validation number, one retailer validation code, and the specified number of play symbols with corresponding play symbol captions on the front of the ticket.

vii. Able to pass all additional tests of the Lottery necessary for validation:

- e. Each play symbol, play symbol caption, retailer validation code, pack ticket number, and validation number is properly aligned and is not reversed in any manner.
 - f. The ticket data is in the Lottery's official file of winning tickets and the ticket has not been previously paid.
 - g. Each play symbol, play symbol caption, pack ticket number, and validation number on the ticket corresponds to the artwork on file at the Lottery.
 - h. The display printing corresponds with the artwork on file at the Lottery.
2. Any ticket not passing all of the validation requirements is void and ineligible for any prize payment.
 3. If a defective ticket is purchased, the only responsibility of the Lottery shall be the replacement of the defective ticket with an unplayed ticket in any current instant game.
- E:** Claim period. In order for the claimant to receive payment, an instant game prize shall be claimed within 180 days of the announced end of the instant game or, in the case of a drawing prize, within 180 days after the drawing in which the prize was won. Any prize not claimed within the period specified reverts to the unclaimed prize fund.
- F:** Procedure for any instant game with a grand prize drawing:
1. Finalists shall be selected in one or more elimination drawings or preliminary drawings. The Director shall determine the number of finalists to be selected in each drawing.
 2. The Director is authorized to place any person's entry that was not entered in the grand prize drawing process, and subsequently determined by the Director to have been entitled to the entry, into a subsequent grand prize drawing process having an equal or greater total value of prizes available.
 3. The dates, times, locations, and procedures for conducting any elimination drawing, preliminary drawing, or grand prize drawing shall be determined by the Director.
- G:** Procedure for claiming prizes:
1. To claim a low tier instant game cash prize, a claimant shall:
 - a. Complete the back of the ticket.
 - b. Redeem the ticket in one of the following ways:
 - i. Present the ticket to the retailer from whom the ticket was purchased.
 - ii. Mail the ticket to the Lottery at the location printed on the back of the ticket.
 - iii. Hand deliver the ticket to the Lottery at 4740 East University Drive in Phoenix, or 2851 North Country Club in Tucson.
 2. The retailer or Lottery shall verify the claim and, if validated, make payment of the amount due to the claimant and void the ticket.
 3. If the retailer does not verify the claim, the claimant may appeal to the Director. Any claimant appealing the decision of the retailer shall:
 - a. Fill out a claim form obtained from any retailer.
 - b. Present or mail the completed form and the disputed ticket to the Lottery for validation at the Phoenix or Tucson office.
 4. To claim any other Arizona instant game prize, the claimant shall complete the back of the ticket and fill out a claim form obtained from any retailer. The ticket shall be redeemed in one of the following ways:

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- a. Mail the completed form and the ticket to the Lottery at the location listed on the back of the ticket.
- b. Hand deliver the completed form and the ticket to the Phoenix or Tucson office.
- 5. If a claim is:
 - a. Validated by the Lottery, a check shall be presented or mailed to the claimant in payment of the prize amount, less any authorized federal, state, and local withholding.
 - b. Not validated by the Lottery, the claimant shall be notified within 15 days from the day the claim is received in the Lottery office.
- 6. If the death of a prize winner occurs, the Lottery shall pay all remaining prize money to the prize winner's beneficiary or to any person designated by an appropriate judicial order.
- 7. The Lottery is discharged of all further liability upon payment of the prize money.
- 8. Payment of prize money shall not be accelerated ahead of its normal date of payment.
- II. Disputes concerning a ticket.**
 - 1. If a dispute between the Lottery and a claimant occurs concerning a ticket, the Director is authorized to replace the disputed ticket with a ticket of equivalent sales price from any current instant game.
 - 2. Replacement of the disputed ticket is the sole remedy for a claimant.
- I. Ticket ownership and responsibility for instant prize winnings and the grand prize drawing process.**
 - 1. Until a ticket is signed, the ticket is owned by its physical possessor.
 - 2. When signed, the claimant whose signature appears on the ticket is the owner of the ticket and is entitled to the corresponding prize.
 - 3. If more than one signature appears on the ticket, the Director is authorized to require that one or more of those claimants be designated to receive payment.
 - 4. A claim form shall be submitted by each claimant who is designated by the Director to receive a portion of the prize claimed from the winning ticket.
 - 5. Any claim forms submitted shall be signed by all other claimants whose signatures appear on the ticket and who are relinquishing their individual claims to the winning ticket.
 - 6. Payment shall be made to any claimants designated on the claim form.
 - 7. The Lottery is not responsible for:
 - a. Lost or stolen tickets;
 - b. Tickets previously claimed in error by a claimant for a lower prize amount.
- J. Termination of the game.** The termination date and time for an instant game shall be announced by the Director. No tickets in that game shall be sold after the announced termination date and time.
- K. Retailer conduct.** Each retailer shall:
 - 1. Sell tickets in pack order, from 000 to last ticket number in pack.
 - 2. Not exchange Arizona instant game packs with other retailers.
- L. Promotional tickets.** The Director shall authorize any tickets that are sold at a discount or are made available without charge for promotional purposes.
- M. Retailer incentives.** Any retailer incentive programs that are offered shall be authorized by the Director.

ARTICLE 7. INSTANT LOTTERY GAMES

R19-3-701. Definitions

In this Article, unless the context otherwise requires:

1. "Game Profile" means the written document that includes all non-confidential game information including, but not limited to, the game prize structure, game playstyle, and special game features.
2. "High tier" means any winning instant game ticket valued at \$600 or more.
3. "Instant game" means an off-line game which is played by removing the protective covering from a ticket to reveal the play and/or prize symbols to determine whether a prize is won as determined in the Game Profile.
4. "Low tier" means any winning instant game ticket of less than \$100.
5. "Mid-tier" means any winning instant game ticket in the amount of \$100 up to and including \$599.
6. "Pack" means a group of tickets bearing a common identification number.
7. "Pack-ticket number" means a unique multi-digit number that includes a game number, a pack number, and a ticket number which distinguishes each ticket from every other ticket within an instant game.
8. "PIN" means the designated characters within the validation number that allows an on-line terminal to validate an instant ticket.
9. "Play Area" means the portion(s) of the ticket which may contain the play symbol(s) and caption(s), prize symbol(s) and caption(s), validation code(s), and prize value(s). More than 1 play area may appear on a ticket.
10. "Play symbol" are the numbers, letters, symbols, or pictures printed in the play area of each instant ticket which determines if the ticket holder is entitled to a prize.
11. "Play symbol caption" means the printed characters under the protective covering on the ticket, located immediately below each play symbol, which spells out and explains completely or in abbreviated form the corresponding play symbol. Only 1 caption appears under each play symbol.
12. "Prize structure" means the estimated number, value, and odds of winning prizes for an individual game.
13. "Prize symbol" means a character or characters printed that indicates the prize available in that game, as described in the Game Profile.
14. "Prize symbol caption" means the printed characters under the protective covering on the ticket, located immediately below each prize symbol, which spells out and explains completely or in abbreviated form the corresponding prize symbol. Only 1 caption appears under each prize symbol.
15. "Retailer validation code" means the multiple letters which appear among the play symbols, under the protective covering in varying locations. The retailer validation code is used to verify low-tier and mid-tier prize amounts.
16. "Theirs" means the opponent's play area or areas on the ticket (for example, "dealer's hand(s)", "house card(s)" "house roll(s)").
17. "Ticket" means paper stock containing a play area or areas and the game play data for an individual game.
18. "Ticket holder" means a person who has possession of an unsigned ticket, or a person whose signature appears on a signed ticket.

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19. "Validation number" means the unique multi-digit code found under the protective covering on each ticket and is used to validate winning tickets.
20. "Variant symbol" means a symbol with unique characteristics that provide added or alternative methods of winning as described in the Game Profile (for example, "wild card", "automatic win symbol", or "automatic doubler").
21. "Yours" means the ticket holder's play area (for example, "your hand(s)", "your card(s)", or "your roll(s)").

R19-3-702. Game Profile

- A. The Commission shall approve the individual Game Profile prior to the game being introduced to the public for sale.
- B. At a minimum, the Game Profile for each game shall contain the following information:
 1. Game name;
 2. Game number;
 3. Prize structure, including the number and size of prizes available, free tickets, and merchandise prizes, if applicable;
 4. Playstyle;
 5. Play symbols, including variant symbol or symbols, if any;
 6. Retailer validation codes;
 7. Special feature, if any;
 8. Retail sales price;
 9. Prize draw eligibility requirements, including filing period for eligibility in a winners drawing, if applicable.

R19-3-703. Game Playstyle

- A. The playstyle for an individual game shall be fully described in the Game Profile and shall be 1 of the following methods of play unless a different method is prescribed by another rule:
 1. Match Two.
 2. Match Three.
 3. Add-up.
 4. Tic-Tac-Toe.
 5. Key Symbol(s) Match.
 6. Key Symbol(s) Beat.
 7. Symbols in Sequence.
 8. Spellouts.
 9. In Between.
 10. Bingo.
- B. More than 1 game and more than 1 playstyle may appear on a ticket. The game profile shall include the information described in subsection (A) for each game.

R19-3-704. Determination of a Winning Ticket

- A. The play symbols are the only determining factor for prize eligibility. Valid play symbols are stated in the Game Profile.
- B. For each individual ticket, the player shall remove the protective covering on the front of the ticket to find the play and/or prize symbols. Eligibility to win a prize is based on compliance with the approved playstyle as follows:
 1. Match Two. The player reveals 2 identical play symbols within a play area.
 2. Match Three. The player reveals 3 identical play symbols within a play area.
 3. Add-Up. The player shall win the prize or prizes indicated in either of the following ways:
 - a. The player adds up the play symbols and the amount is greater than or equal to the designated key symbol on the ticket, or
 - b. The player adds up the play symbols designated as "yours" and the total is greater than or equal to the key symbol(s) designated as "theirs".

4. Tic-Tac-Toe. The player shall win the prize or prizes indicated by uncovering 3 matching play symbols, in any row, column, or diagonal, on a 9 symbol grid on the play area.
5. Key Symbol(s) Match. The player shall win the prize or prizes indicated by uncovering the play symbol or symbols which matches the designated key play symbol or symbols.
6. Key Symbol(s) Beat. The player shall win the prize or prizes indicated by uncovering the play symbol or symbols designated as "yours" in the ticket play area which is greater than the play symbol or symbols designated as "theirs".
7. Symbols in Sequence. The player shall win the prize or prizes indicated by uncovering the designated play symbols in a sequential order.
8. Spellouts. The player shall win the prize or prizes indicated by revealing the play symbols to form a specific word.
9. In Between. The player shall win the prize indicated by uncovering the play symbol or symbols designated as "yours" with a value less than the play symbol or symbols designated as "their high card" and greater than the play symbol or symbols designated as "their low card".
10. Bingo. A player removes the protective covering from the "Caller's Card" play area to determine the play symbols and matches the play symbols on the "Caller's Card" to the "Player's Cards". A player shall win the prize or prizes indicated in either of the following ways as indicated on the ticket or in the Game Profile:
 - a. The player matches 5 consecutive play symbols, including the "free" play symbol, if appropriate, on any of the "Player's Cards" in any horizontal, vertical, or diagonal line; or
 - b. The player matches play symbols in all 4 corners on 1 of the "Player's Cards"; or
 - c. The player matches 5 consecutive play symbols in both diagonals forming an "X" pattern on any of the "Player's Cards"; or
 - d. The player matches all 5 consecutive play symbols in the top row, the bottom row, and the 1st and 5th columns forming an outer frame pattern; or
 - e. The player matches the 2nd, 3rd, and 4th play symbols in the 2nd row, the 4th row, the 2nd column, and the 4th column forming an inner frame pattern; or
 - f. The player matches the 1st, 2nd, 4th, and 5th play symbols in the 1st, 2nd, 4th, and 5th rows, forming 4 corner box patterns; or
 - g. The player matches the 1st, 2nd, 3rd, 4th, and 5th play symbols in the 1st row and 5th row, the 2nd play symbol in the 4th column, the "free" play symbol, and the 4th play symbol in the 2nd column, forming a "Z" pattern; or
 - h. The player matches the 1st, 2nd, 3rd, 4th, and 5th play symbols in the 1st row, the 2nd play symbol in the 4th column, the "free" play symbol, the 4th play symbol in the 2nd column, and the 5th play symbol in the 1st column, forming a "7" pattern; or
 - i. The player matches the 1st, 2nd, 3rd, 4th, and 5th play symbols in the 1st row, and the 2nd, "free", 4th, and 5th play symbols in the 3rd column, forming a "T" pattern; or
 - j. The player matches all of the play symbols in the 1st, 2nd, 3rd, 4th, and 5th rows, and the "free" play symbol, creating a "blackout".

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- E. Each of the playstyles described in subsection (B) may include a specific variant such as, "automatic win feature", "doubler feature", "wild card", or "free space". When such variant is featured as part of the specific game, the variant shall be defined in the Game Profile.

R19-3-705. Ticket Validation Requirements

- A. Each instant game ticket shall be valid and validated prior to payment of a prize.
- B. To be a valid ticket, all of the following requirements shall be met:
1. The ticket shall not be stolen or appear on any list of omitted tickets on file with the Arizona State Lottery Commission;
 2. The ticket shall not be counterfeit or forged, in whole or in part;
 3. The ticket shall not be mutilated, altered, unreadable, reconstituted, or tampered with in any manner;
 4. The ticket shall not be blank, partially blank, misregistered, defective, or printed or produced in error;
 5. The play and prize symbols shall have the required captions that confirm and agree with those applicable to that instant game;
 6. The ticket shall have been issued by the Arizona State Lottery Commission in an authorized manner;
 7. The ticket shall have been legally obtained;
 8. The ticket shall pass the confidential validation and security tests appropriate to the applicable playstyle;
 9. The display printed on the ticket shall correspond precisely with the approved artwork on file at the Arizona State Lottery Commission;
 10. The validation number of a winning ticket shall appear in the Arizona State Lottery Commission's official file of validation numbers of winning tickets. A ticket with that validation number shall not have been paid previously;
 11. All of the ticket symbols originally printed on the ticket shall appear in the play area on the ticket and shall correspond to those shown in the Game Profile;
 12. The play and prize symbols shall have the required captions that confirm and agree with those of the appropriate instant game;
 13. The ticket shall contain exactly 1 ticket validation number, 1 retailer validation code, 1 game number, 1 pack-ticket number, and 1 PIN number. The play and prize symbols, the play and prize symbol captions, ticket validation number, retailer validation code, game number, pack-ticket number, and PIN number shall be right-side up and not reversed in any manner.

R19-3-706. Claim Period

- A. In order for the claimant to receive payment, a winning instant game ticket shall be received by the Arizona State Lottery Commission no later than 5 p.m. (Phoenix time) on the 180th calendar day following the announced end of the instant game.
- B. In the case of a drawing prize, the claimant must claim the prize no later than 5 p.m. (Phoenix time) on the final day designated on file at the Arizona State Lottery Commission.
- C. The Director is authorized to place any person's entry that was not entered in the grand prize drawing process, and subsequently determined by the Director to have been entitled to the entry, into a subsequent grand prize drawing process having an equal or greater total value of prizes available.
- D. The termination date of an instant game shall be established by the Director and on file with the Arizona State Lottery Commission.

R19-3-707. Procedure for Claiming Prizes

- A. To claim a low- or mid-tier instant game cash prize, a claimant may take the ticket to a retailer where the retailer may verify the claim, and, if validated as a winning ticket, make payment of the amount due to the claimant and void the ticket. The claimant may also take or mail the ticket to an Arizona State Lottery Commission office, and if validated as a winning ticket, receive payment.
- B. If the retailer does not verify the claim, validate the ticket or pay the amount due, the claimant may present the ticket to the Arizona State Lottery Commission. The claimant shall:
1. Fill out a claim form and sign the back of the ticket;
 2. Present or mail the completed form and the disputed ticket to an Arizona State Lottery Commission office for verification, and/or payment.
- C. To claim a high-tier instant game prize, the claimant shall sign the back of the ticket and fill out a claim form. Payment shall be made to the claimant by either presenting or mailing the ticket and claim form to the Arizona State Lottery Commission. If a claim is:
1. Validated as a winning ticket, a check shall be presented or mailed to the claimant in payment of the prize amount, less any authorized federal, state, and local withholding taxes and/or debt set-off amounts.
 2. Not validated as a winning ticket by the Arizona State Lottery Commission, the claimant shall be notified.
- D. If the death of a prize winner occurs, the Arizona State Lottery Commission shall pay all remaining prize money to the prize winner's beneficiary or to any person designated by an appropriate judicial order.
- E. The Arizona State Lottery Commission is discharged of all further liability upon payment of the prize money.
- F. Payment of prize money shall not be accelerated ahead of its normal date of payment.

R19-3-708. Disputes Concerning a Ticket

- A. If a dispute between the Arizona State Lottery Commission and a claimant occurs concerning a ticket, the Director is authorized to replace the disputed ticket with a ticket of equivalent sales price from any current instant game.
- B. If a defective ticket is purchased, the only responsibility of the Arizona State Lottery Commission shall be the replacement of the defective ticket with an unplayed ticket or tickets of equivalent sales price.
- C. The Arizona State Lottery Commission is not responsible for paying the difference in a prize amount previously paid to a claimant and the actual amount that should be paid unless specific documentation is provided and can be verified by the Lottery.

R19-3-709. Ticket Ownership and Responsibility for Instant Prize Winnings

- A. Until a ticket is signed, the ticket is owned by its physical possessor.
- B. When signed, the claimant whose signature appears on the ticket is the owner of the ticket and is entitled to the corresponding prize.
- C. If the winning ticket was purchased by a group of players, the group shall select a designated person to sign the back of the ticket. Each group member shall complete an individual claim form to receive their portion of the prize.
- D. Payment shall be made to the claimant designated on the claim form or forms.
- E. A claimant who has signed the back of the ticket and is relinquishing any individual claim to the winning ticket is required to sign a statement to this effect and state who the claimant shall be.